

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

ROBERT ANTHONY THOMPSON,)	No. 3:07cv209
)	
Plaintiff)	
)	
v.)	ORDER
)	
UNITED STATES OF AMERICA,)	
)	
Defendant Property)	

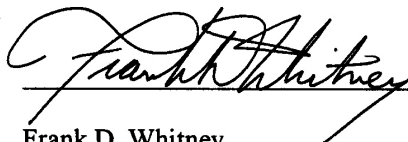
UPON MOTION of the United States of America for summary judgment or in the alternative for a more definite statement (Doc. No. 22), the Court hereby GRANTS the Motion for Summary Judgment. The alternative motion for a more definite statement is thereby moot.

The United States has fully explained how Plaintiff-Claimant Robert Thompson was given all notice and opportunity to be heard regarding the forfeiture of his properties and papers in either his criminal prosecution (United States v. Thompson, 3:03cr181 (W.D.N.C.)) or this civil proceeding. Plaintiff-Claimant either waived his opportunity to contest his forfeiture or failed to sufficiently identify any properties or papers which had been forfeited without constitutionally and/or statutorily adequate due process.

Thus there is no genuine issue of material fact justifying a jury or bench trial. Accordingly, the United States' motion for summary judgment (Doc. No. 22) is GRANTED.

IT IS SO ORDERED.

Signed: December 28, 2009



Frank D. Whitney
United States District Judge

